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REMARKS

Applicants have carefully reviewed the Office Action dated August 25, 2004. Claims 1-11 are pending in this application. Applicants have amended Claims 1, 4, 9, 10 and 11 and added new claims 12 - 18 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

Claims 1-11 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Hudetz et al.* in view of *Call* and further in view of *Kirsch.*

The primary feature lacking from either *Hudetz* or *Call* is the control of the user location based upon the scanned code by the intermediate node. Both *Call* and *Hudetz* provide what is termed in *Call* as a "product code translator." This is merely a database that allows the code to be directed toward a remote node on a network for the purpose of retrieving information relating to that code. The user then receives this information and determines what to do with it. This information may be information as to the manufacturer, web addresses as to information about the product associated with the code, etc. As set forth in Applicant's previous response, there is no automatic jumping with *Hudetz* that is under the control of intermediate nodes; rather, *Hudetz* pulls the information up and then the computer in *Hudetz* at the user location determines whether to connect to the location without the user selection. Again, as set forth in the previous response, this interpretation may be faulty in that there is very little description as to how this "automatic" operation is facilitated. It can be seen in *Call* that the product code translator is operable to allow manufacturers to associate cross-references that relate to their assigned universal product codes with Internet addresses, etc. This provides information "related to their products" that can be obtained by the user. This acts in response to queries via the Internet. In *Call*, an HTML page is sent back with one or more IP addresses that match the UPC code sent thereto, very similar to the *Hudetz* reference. As such, this is information that a user can utilize for then selecting a connection. Similarly, in *Call*, there is the ability to send multiple IP addresses back if multiple IP addresses are associated with

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a given code. The primary purpose of the *Call* reference is to obtain data associated with the code for use at the computer. There is no disclosure set forth wherein the intermediate node or the server is in any way designed to control the computer requesting the information. As such, the server is merely a repository for information and the code is a way to obtain this information, i.e., it is a link thereto. However, there is no purpose other than to retrieve and store the information for later use thereof.

As such, it can be seen that neither *Hudetz* nor *Call* provide motivation for an intermediate node to control the operation of the display at the user's location such that the mere act of scanning a code into the system will result in content being provided by the retailer. There must be more disclosed in either *Hudetz* or *Call* to make such an assumption. Since both *Hudetz* and *Call* are directed toward retrieving information, i.e., "pulling" the information from the resource server, there is no reason that one would utilize a system wherein the resource server can actually control the display to push content thereto from some vendor service that may not even be related to the manufacture of a product. For example, a Company A having a product associated therewith an associated product code may be in such a situation that Company B, a competitor, contracts with the resource server such that whenever Company A's product code is scanned, information from Company B is transmitted to the user. Certainly, *Call* would not envision such a system due to the fact that the manufacturers are the ones that associate their IP addresses with the codes. Further, the user is not trying to select such information.

The *Kirsch* reference is a redirect reference and does not disclose the concept of controlling a node in response to a query that was generated by receiving a unique code at a user location. As such, the *Kirsch* reference does not cure the deficiencies with respect to the combination of *Hudetz* and *Call*.

In view of the above, Applicant believes that neither *Call*, *Hudetz* nor *Kirsch*, taken singularly or in combination, anticipate or obviate Applicant's present invention as set forth by the amended claims. Therefore, Applicant respectfully requests withdrawal of the 35 U.S.C. §103 rejection with respect to the amended claims.

Applicants have now made an earnest attempt in order to place this case in condition for
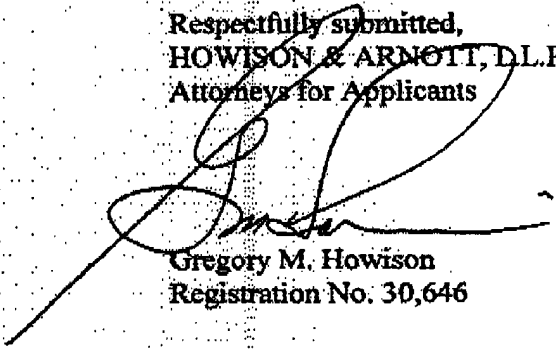
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allowance. For the reasons stated above, Applicants respectfully request full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-24,737 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,
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January 25, 2005

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